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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of

Implementation of the Pay Telephone
Reclassification and Compensation
Provisions of the Telecommunications
Act of 1996

Ameritech Comparably Efficient
Interconnection Plan for Payphone
Service Providers

CC Docket No. 96-128

DOCKET FILE COPY (2/2/97)

**REPLY COMMENTS OF THE
AMERICAN PUBLIC COMMUNICATIONS COUNCIL**

The American Public Communications Council ("APCC") submits these reply comments concerning Ameritech's Comparably Efficient Interconnection ("CEI") Plan, filed November 27, 1996.

I. COIN LINE SERVICES

A. Call Rating

In its comments, APCC pointed out that Ameritech's coin line tariffs offered rating of intraLATA sent-paid calls only at rates selected by Ameritech, and did not provide for rating calls at rates selected by other payphone service provider ("PSP") subscribers.

See e.g., Michigan Bell, Tariff M.P.S.C. No. 20R, at 16. Such one-sided call rating patently discriminates in favor of Ameritech's payphone operation and greatly limits any utility the coin line service might have for independent PSPs. APCC at 14-15.

Ameritech's coin line tariffs also provide that "[c]oin sent paid local calls will be controlled by the IPP." See, e.g., Michigan Bell, Tariff M.P.S.C. No. 20R, at 16. At the time APCC filed its initial comments, the meaning of this provision was not apparent. However, Southwestern Bell's proposed coin line tariff contains a more explicit statement providing that "[s]ent-paid local calls which do not require the assistance of an operator will be rated by the customer's pay telephone set. The Telephone Company network will receive a signal from the pay telephone set indicating that the local rate has been satisfied." Southwestern Bell CEI Plan, filed December 30, 1996, Proposed Tariff P.S.C. Mo. - No. 35, Section 34.1.6.A. The central office then presumably establishes the call connection and signals the payphone to retain the coins in escrow.

Such a requirement to rate local calls in the set further minimizes any utility of the coin line offering to independent PSPs. PSPs are not only required to utilize the rates of another competitor for their sent-paid intraLATA toll calls, but they must also provide their own call rating in the set for sent-paid local calls.

Moreover, APCC believes that, under the method of operation previously applicable to coin lines terminating in local exchange carrier ("LEC") payphones, sent-paid local calls were rated in the central office, rather than in the payphone itself. Ameritech's CEI plan does not disclose whether it is currently providing central office-based call rating

for local calls for any or all of its existing base of payphones (and/or newly installed payphones). Ameritech must be required to provide this information, including how many of its payphones, and in which areas, currently benefit from network-based local call rating, in order to determine the extent to which there is additional discrimination between Ameritech payphones receiving network-based rating for local calls, and independent PSPs, who are required to provide local call rating in the set even when using a coin line.

B. Other Issues

APCC generally supports the comments of AT&T and Great Lakes Public Communications Regional Coalition ("Great Lakes") regarding the other deficiencies of Ameritech's coin line service offerings for independent PSP. As AT&T points out, Ameritech fails to specify precisely where in its territory coin line services are "available" to itself and to independent PSPs. AT&T at 3-4. Ameritech must be required to provide this specific information.

Great Lakes states that Ameritech provides a repair and refund service to its own payphones using coin lines when users dial 611 from such payphones, but does not accept repair and refund requests from other payphones. Great Lakes at 16. APCC agrees that Ameritech should explain how it will provide this service, which appears to involve preferential use of the 611 number, in a nondiscriminatory manner.

II. PRICING OF COCOT AND COIN LINE SERVICE

As Great Lakes points out, Ameritech has failed to show that its coin line services are cost based as required by the Commission's orders in this proceeding. Great Lakes at 7-14. Ameritech has not even demonstrated that its coin line services, designed for and predominantly used by Ameritech's own payphones, are priced using the same methodology as Ameritech's "COCOT" line services, used predominantly by independent PSPs. APCC agrees with Great Lakes that Ameritech must be required to make a full showing that charges for the services used by its own payphone operations and independent PSPs are cost-based and nondiscriminatory. Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Docket No. 96-128, Report and Order, FCC 96-388 (September 20, 1996), Order on Reconsideration, FCC 96-439 (November 8, 1996), ¶ 163.

III. OTHER ISSUES

As AT&T notes, the Ameritech is silent as to the network support provided for inmate calling services. AT&T at 2-3. APCC generally supports the comments of AT&T and the Inmate Calling Service Providers Coalition on these issues.

APCC also agrees with AT&T that Ameritech should be required to make clear its policy on fraud uncollectibles. *Id.* at 4-5. Ameritech must specify and apply a nondiscriminatory policy to its own payphone operations and independent PSPs regarding collection of charges for Ameritech's services that are fraudulently accessed from

payphones. *Id.* In addition, Ameritech should be required to clarify whether its tariff provisions limiting Ameritech's liability to interexchange carriers ("IXCs") will limit in any way the liability of Ameritech's nonregulated payphone operation for fraudulent calls carried by IXCs to or from Ameritech payphones. If so, then the same limitation of liability must be applied to independent PSPs that utilize Ameritech's local exchange service.

AT&T agrees with APCC that screening codes should be equivalent for "COCOT" service and coin line services, in order to prevent discrimination in favor of Ameritech's payphone operations, which are the major users of Ameritech's coin line services, in the administration of payphone compensation. AT&T at 5-6. For "COCOT" service as well as coin line service, the code that is transmitted with the call (as opposed to codes that are only available in response to a query after the call) should discretely indicate that the call is originating from a payphone and not from any other type of line.

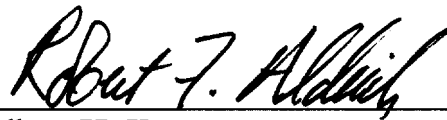
Finally, APCC supports the comments of AT&T and Great Lakes regarding the need for full unbundling of payphone service features. AT&T at 4-5; Great Lakes at 20-21. It is particularly important that independent PSPs using "COCOT" lines not be subjected to a defective form of answer supervision. Especially since the call-intercept tones that formerly provided some means of identifying error messages are no longer even provided by Ameritech, the lack of reliable answer supervision constitutes a particularly egregious form of discrimination that must be removed.

CONCLUSION

Ameritech should be required to refile its plan in accordance with the comments and the foregoing reply comments.

Dated: January 21, 1997

Respectfully submitted,

A handwritten signature in cursive script, reading "Robert F. Aldrich", written over a horizontal line.

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Certificate of Service

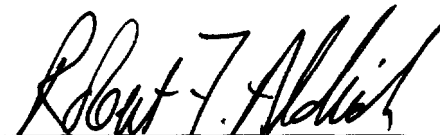
I hereby certify that on January 21, 1997, copies of the foregoing Motion for Leave to File Late and Comments of the American Public Communications Council were hand-delivered or sent by first class United States mail to:

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